
EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**In re: DMCA Section 512(h) Subpoena
to YouTube, LLC**

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MISC. ACTION NO. 2:20-mc-14

**PETITIONER BOBBY GOLDSTEIN PRODUCTIONS, INC.’S REQUEST TO THE
CLERK FOR ISSUANCE OF SUBPOENA TO IDENTIFY ALLEGED INFRINGERS
PURSUANT TO 17 U.S.C. § 512(h)**

Petitioner Bobby Goldstein Productions, Inc. (“BGP”), through its undersigned counsel of record, hereby requests that the Clerk issue a subpoena to identify alleged infringers pursuant to the Digital Millennium Copyright Act’s (“DMCA”) subpoena provision, 17 U.S.C. § 512(h). The proposed DMCA subpoena is being submitted herewith.

Section 512(h) provides that “a copyright owner or person authorized to act on the owner’s behalf may request the clerk of any United States District Court to issue a subpoena to a service provider for identification of an alleged infringer in accordance with this subsection.” 17 U.S.C. § 512(h)(1).

The DMCA subpoena is directed to YouTube, LLC, which owns and operates the website whereon the relevant infringing activities occurred. BGP has satisfied the requirements for issuance of a subpoena pursuant to § 512(h), namely:

- 1) BGP has submitted a copy of the notification required by § 512(c)(3)(A);
- 2) BGP has submitted the proposed DMCA subpoena concurrently herewith; and
- 3) BGP has submitted a sworn declaration confirming that BGP seeks the issuance of the DMCA subpoena to obtain the identity of alleged infringers and that such

information will only be used for the purpose of protecting BGP's intellectual property rights under Title 17 of the U.S. Code.

See Declaration of Jeffrey R. Bragalone ¶¶ 2-6.

Because BGP has complied with the statutory requirements of § 512(h), BGP respectfully requests that the Clerk expeditiously issue and sign the proposed DMCA subpoena pursuant to § 512(h)(4) and return it to undersigned counsel for service on the subpoena recipient.

Dated: December 14, 2020

Respectfully submitted,

/s/ Jeffrey R. Bragalone

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